

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LAMAR BROWN, on behalf of himself and all
others similarly situated,

Plaintiff,

22-CV-05983 (JMF) (VF)

-against-

ORDER

REGAL NAILS, SALON & SPA, LLC,

Defendant.

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VALERIE FIGUEREDO, United States Magistrate Judge:

For the reasons stated at the telephonic status conference held before the Court on February 2, 2023, the Court hereby grants Plaintiff's request to submit an amended complaint (ECF No. 20). Because no case management plan was ever entered in this action, this request is governed by Rule 15, which provides that the Court should freely grant leave to amend "when justice so requires." See Fed. R. Civ. P. 15(a)(2); Sacerdote v. New York Univ., 9 F.4th 95, 115 (2d Cir. 2021) ("The period of 'liberal' amendment ends if the district court issues a scheduling order setting a date after which no amendment will be permitted."). Accordingly, Defendant's pending motion to dismiss (ECF No. 14) is denied as moot. Plaintiff's amended complaint is due by no later than **Friday, February 10, 2023**. Defendant is permitted to re-submit a motion to dismiss following submission of the amended complaint. The Clerk of Court is directed to terminate the motions at ECF Nos. 14 and 20.

SO ORDERED.

DATED: New York, New York
February 2, 2023



VALERIE FIGUEREDO
United States Magistrate Judge